

# **Meeting #3: Boundary Agreements**

Town of Lisbon Long Range Vision Committee  
May 17, 2007

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Vierbicher Associates, Inc.

# Agenda

1. Roll Call
2. Discussion regarding evaluation of options
3. Discussion of survey to be distributed to Town of Lisbon residents
4. Boundary Agreements
5. Preparation for next meeting
6. Adjournment

# Discussion of Town Residents Survey

- Draft survey in packet

# **Boundary Agreements**

# Comparison of Boundary Agreement Statutes

	s. 66.0225	s. 66.0301	s.66.0307
Common Name	Stipulations and Orders	General Agreements	Cooperative Boundary Agreements
Typical Use	Settle annexation and incorporation lawsuits	Contract for joint municipal services	Cooperatively resolve boundary, land use and service issues
Subject to State Agency Review	No	No	Yes
Binding on the Parties	Yes	Uncertain	Yes
Stand Alone Statute	No	No	Yes
Standards for Planning and Development Issues	No	No	Yes
Public Hearings Required	No	No	Yes
Referendum	Yes	No	Yes
Who Votes	Affected electors	N/A	All electors

\*Information taken from Wisconsin DOA.

## Background on s. 66.0307

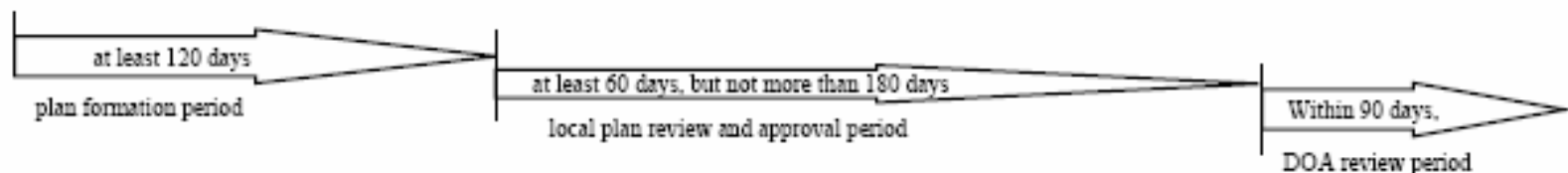
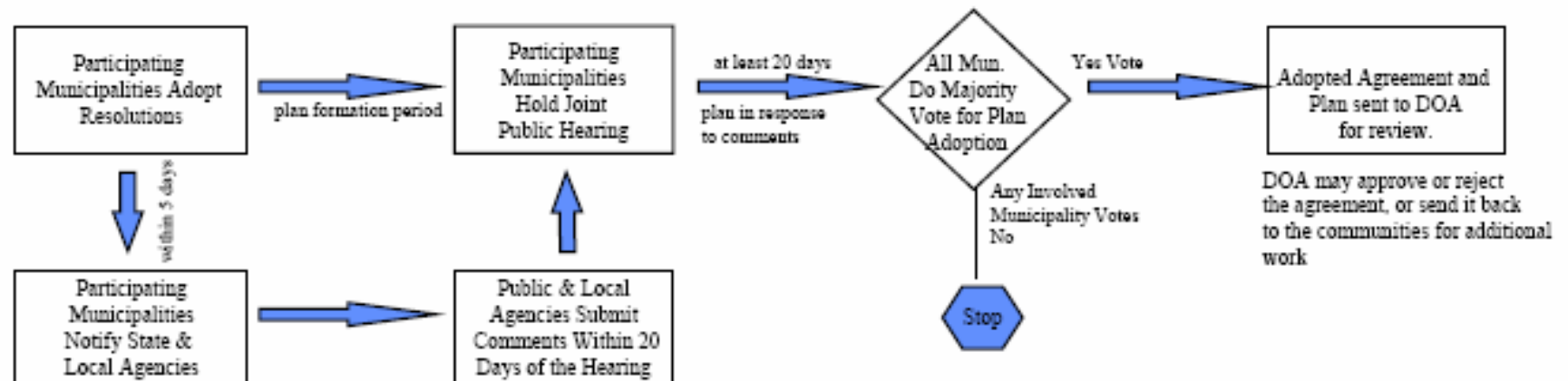
- Relatively new tool (1992)
- Procedure for changing or maintaining municipal boundaries by agreement
- Any combination of cities, villages or towns may enter agreement
- Pursuant to DOA review
- Eliminates landowner challenges as a barrier to successful agreement

## Background on s. 66.0307 continued

- Agreements last for a period of 10 or more years
- Agreements can not be unilaterally dissolved without consent of all parties
- Annexations initiated by property owners are no longer possible
- Agreements can include
  - Utilities
  - Road maintenance
  - Easements
  - Revenue sharing

# Cooperative Boundary Plan Process

Section 66.0307 Wis. Stats.



## NOTE:

To keep this flow chart simple, a number of procedures were not included that are nonetheless authorized by s. 66.0307 Wis.Stats. These include residents petitioning for an advisory referendum, residents petitioning for the agreement be adopted by a super-majority vote of the governing body, the possibility of a public hearing by DOA, and the possibility that DOA sends the agreement back to the communities with comments on additional work that is needed for approval.



# Required Elements of a Cooperative Boundary Agreement

- Agreement duration
- Current land use
- Proposed boundary changes
- Conditions that may trigger future boundary changes
- Physical plan for the agreed upon area
  - Including public improvements
- Proof of consistency with existing plans and ordinances
- Environmental, economic and social impact analyses
- Plan for providing public services to area
- Summary of public comments

# Advantages

- Avoid lengthy, bitter lawsuits
- Avoid potential loss of state aids
- Cooperation can save tax dollars
- Developers and businesses prefer a stable political climate
- Stable borders and timetables allow for easier planning
- Allows for planning instead of reacting to unpredictable private proposals

# Process

- Process includes:
  - Broad notice to area residents and jurisdictions
  - A cooperative plan for agreement territory
  - Public hearing
  - Comment Period
  - Advisory referendum if requested
- Agreements must be reviewed by Wisconsin Department of Administration.

## Benefits

- Annexations initiated by individual property owners are no longer possible because all subsequent annexations must occur as specified in the agreement.
- Provide as much certainty for landowners, developers and municipalities over time as circumstances will permit.

## Difficulties

- Intergovernmental agreements take time; 6 months to 2 years is not unusual.
- Detailed statutory requirements and reporting of possible impacts.
- The agreement process may precipitate unforeseen divisions and conflict.
- Does not provide finality beyond the time period of the agreement.
- Process may require professional mediation.

# Example Boundary Agreements

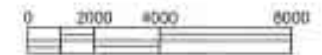
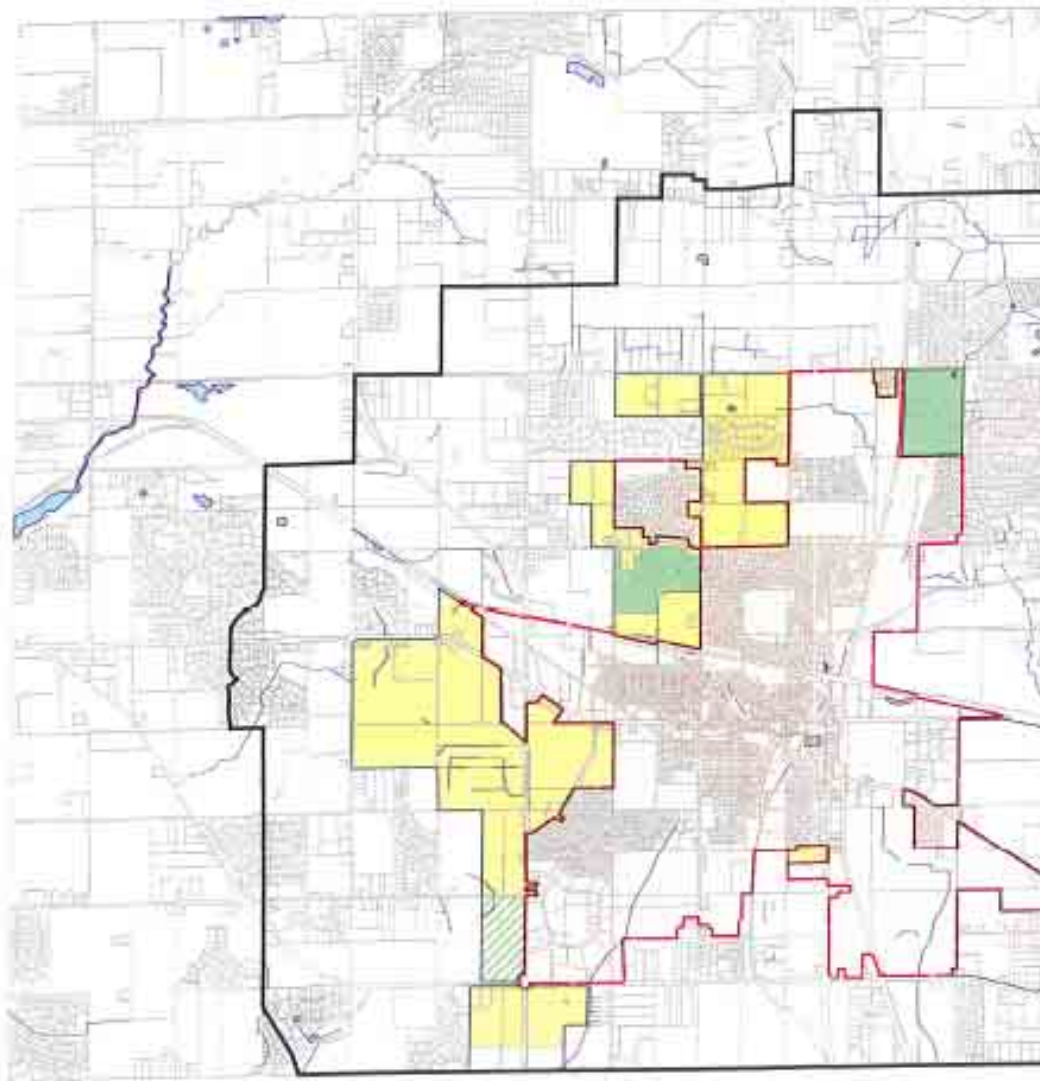
- 1. Town of Pewaukee and City of Waukesha
  - Resolved long-standing irregular boundary and service questions, settled current litigation, set stage for incorporation of Town of Pewaukee
- 2. City and Town of Dodgeville
  - Enabled the construction of affordable housing of various densities on sites served by utilities adjacent to the City, provides flexibility in determining when to attach platted and developed parcels. Designed to alleviate demand for scattered housing elsewhere in the Town that might otherwise prematurely convert agricultural lands.

## Examples Continued..

- 3. City and Town of West Bend
  - Defines a permanent boundary.  
Transfers town territory lying within the corporate limits of the City, establishes conditions for the provision of utilities by the City, including limited, phased attachments of Town territory lying along the existing boundary.

# **Existing Boundary Agreements Involving Town of Lisbon**





SCALE IN FEET

#### EXHIBIT D

#### VILLAGE GROWTH AREA MAP

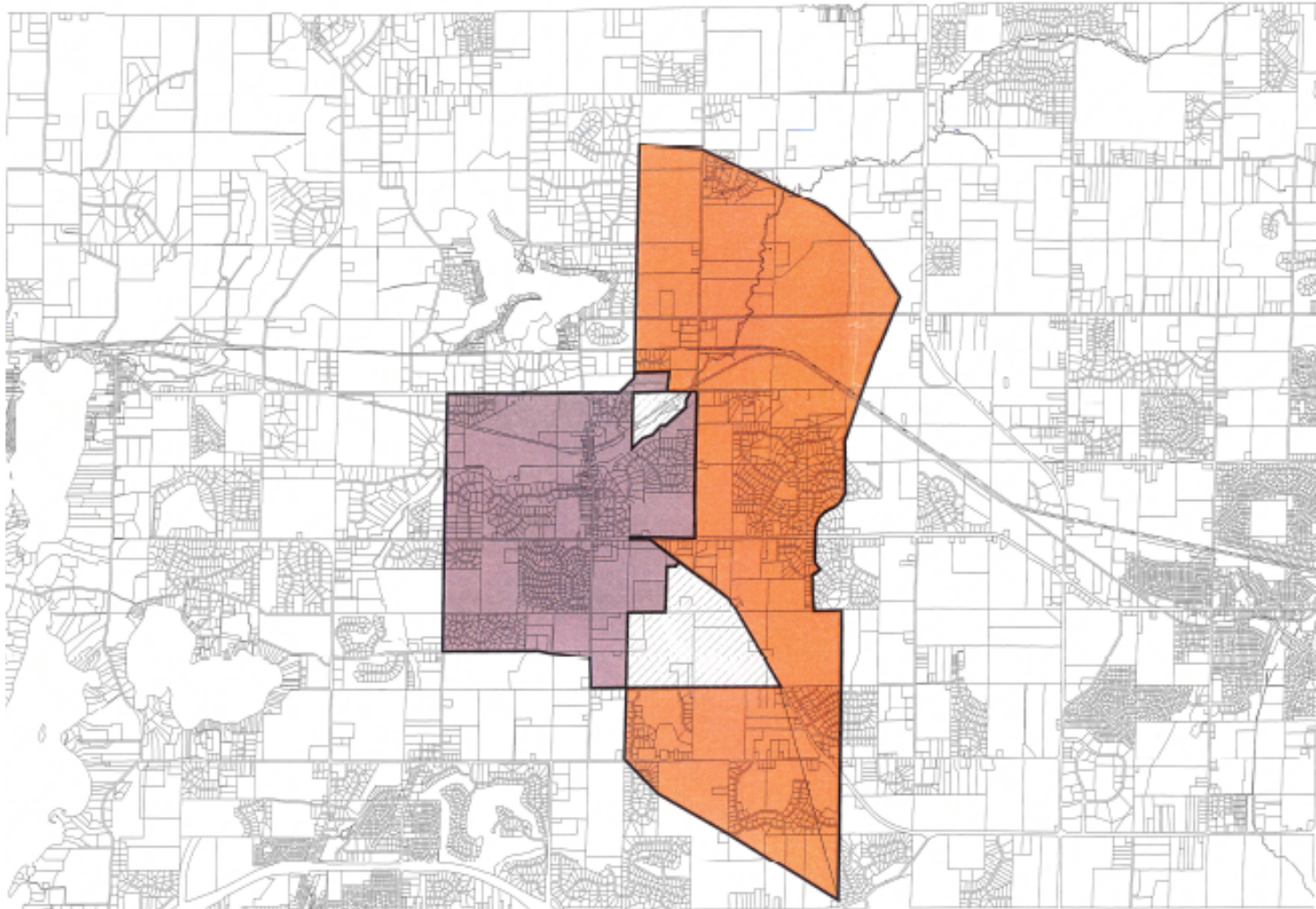
VILLAGE OF SUSSEX,  
WAUKESHA COUNTY, WISCONSIN

#### LEGEND

- CURRENT MUNICIPAL BOUNDARY
- EXTRATERRITORIAL ZONING JURISDICTION BOUNDARY
- CURRENT VILLAGE OF SUSSEX
- AREAS PROPOSED FOR FUTURE ADDITION TO THE VILLAGE OF SUSSEX
- PROPOSED PARK LANDS
- PROPOSED TOWN PARK LANDS

# Sussex/Lisbon Agreement


- Boundary Agreement
  - Fixed in perpetuity
- Village Growth Area (VGA)
  - Any area in the VGA may be attached to the Village without contest by the Town
  - The Town shall not permit development or division of individual parcels within the VGA
- Except as otherwise specified, no territory outside the VGA shall be annexed to the Village
- Joint Planning Area
- Shared Services Committee
- Provision of Municipal Services
- Incorporation
  - Sussex shall not object to efforts for incorporation by the Town



**EXHIBIT E**  
**JOINT PLANNING AREA**

**TOWN OF LISBON AND VILLAGE OF MERTON**  
**WAUKESHA COUNTY, WISCONSIN**

**LEGEND**

-  EXISTING MERTON LANDS
-  TOWN OF LISBON LANDS TO BECOME PART OF THE VILLAGE OF MERTON
-  JOINT PLANNING AREA FOR TOWN OF LISBON AND VILLAGE OF MERTON

# Merton/Lisbon Agreement

- Boundary Agreement
  - Fixed in perpetuity
- Village Growth Area
  - Similar to Sussex agreement
- Annexation
  - Similar to Sussex agreement
- Joint Planning Area
- Road Improvement Contribution-Ainsworth Rd.
- Shared Services Committee
- Incorporation
  - Merton will not object to any attempt by Town for incorporation